News of the New Moon by Telephone or by Mail

Question: (1) While testifying to the sighting of the moon over the telephone is not acceptable in the Shari'ah, can the sighting be established in the following cases:

- When the sighting of the moon has been ascertained after all the necessary regulations pertaining to witnesses have been taken into consideration and then this news is passed on to others via the telephone
- When the sighting of the moon by a large group of people is conveyed to the people of another town via the telephone
- When two or three people of a place are questioned via the telephone about the sighting in their area, their voices are positively identified and the sighting is confirmed in this manner
- When news of the sighting has been received by two to three persons of different areas, each one of them positively knowing exactly who is speaking to them and knowing that the person is a good Muslim. At the same time, the person has a good idea due to other means that the news is indeed true.

(2) When, in the above situations, the news is conveyed by letter and the recipient knows well who the sender is, can the news be confirmed. Furthermore, what about the case when the person conveying the news is an unknown person, but the person receiving the news has a good idea due to other means that the news is indeed true?

(3) Can a general confirmation of the sighting be announced because if the news received via the above means?

Answer: Rasulullaah ρ said, "Do not start fasting until you see the moon and do not stop fasting until you see the moon. If the sky is overcast, then calculate (the month as thirty days)."[1] When the sky is not clear, **the sighting of the Ramadhaan moon can be established by the sighting of a single religious person, whereas the sighting for the Eid moon needs to be delivered by testimony of witnesses.** However, when the sky is clear, there needs to be a large group of people to testify to seeing the moon.

When the sky is not clear, the sighting can be verified when a religious Muslims phones or writes with the news that:

- I have seen the moon of Ramadhaan
- A religious and upright Muslim has informed me that he has seen the moon
- The Qaadhi, Mufti or Hilaal committee has passed the verdict of the sighting in my presence

His word in all the above situations may be taken if he is positively identified or it is known that the letter is indeed from him. The Qaadhi, Mufti or Hilaal committee may make an announcement according to this news if the news is supported by other telephone calls or letters. However, all the above situations will not serve to establish the sighting if the sky is clear.

The above situations will not be acceptable when it concerns the sighting for the moon of Eid because formal testimony is required. Letters and telephone calls will

[1] Bukhaari (Vol.1 Pg.256).

not suffice for this even if the identity is positively established because it is necessary for the witness to be present.

Hadhrat Moulana Ashraf Ali Thanwi رحمه الله writes that news over the telephone is unacceptable in cases where absence of the person prevents acceptance. It will, however, be acceptable in cases where absence does not present a barrier.[2]

> The Qaadhi, Mufti or Hilaal committee may however confirm the sighting if several reliable people telephone to say that they had seen the moon or that the Qaadhi, Mufti or Hilaal committee had passed the verdict that the sighting was authentic. This is when the number of such callers is so many that it is impossible for them to be lying because this will then fall into the category of Mustafeedh information. One or two calls will not suffice.[3] The same applies to letters. And Allaah knows best what is most correct.

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[2] *Imdaadul Fataawaa* (Vol.2 Pg.78).
[3] *Majaalisul Abraar* (*Majlis* 32, Pg.221).